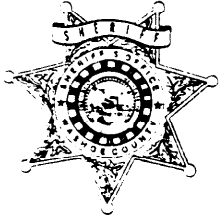


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WASHOE COUNTY SHERIFF'S OFFICE

DEPT. OF TRANSPORTATION

VINCENT G. SWINNEY

Sheriff

01 JUN 10 PM 1:27

SK#
25886
911 PARR BOULEVARD
RENO, NEVADA 89512 - 1000
TELEPHONE: (702) 328-3000

"Maintain the Right"
Serving since 1861

FAA-2000-8182-3

October 28, 1991

Federal Aviation Administration
U. S. Department of Transportation
800 Independence Ave., S.W.
Washington, D. C. 20591

ATTENTION: AGC Rules and Dockets

Gentlemen:

This Office sent our original request for renewal of Exemption #5119 to your Office on July 30, 1991.

Evidently, you did not receive this paperwork.

We are Express Mailing copies of the original request this date and would appreciate it if you could expedite the processing of this request for renewal of Exemption No. 5119

Your attention to this request is appreciated.

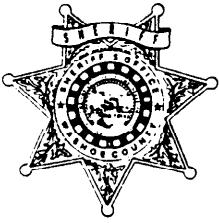
Sincerely,

VINCENT G. SWINNEY, SHERIFF

By:

GLEN VOGLER, Chief
Operations Bureau

GV:lcs



WASHOE COUNTY SHERIFF'S OFFICE

VINCENT G. SWINNEY
Sheriff

911 PARR BOULEVARD
RENO, NEVADA 89512 - 1000
TELEPHONE: (702) 328-3000

"Maintain the Right"
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July 30, 1991

Federal Aviation Administration
U.S. Department of Transportation
800 Independence Ave., S.W.
Washington, D.C. 20591

Gentlemen:

With this letter, we wish to apply for a renewal of Exemption No. 5119, issued in Washington, D.C., on December 5, 1989, to the Washoe County Sheriff's Office. The Exemption is from No. 61.118 of the Federal Aviation Regulations. Activities of the Washoe County Sheriff's Air Squadron have been conducted as described in the said Exemption (see Attachment #1) for the past 18 months. During that period, the Air Squadron has flown approximately 150 hours accomplishing searches authorized by the Sheriff of Washoe County.

In addition, approximately 75 hours have been flown as part of authorized training flights by the Air Squadron. Safety is held in high priority by the Squadron and, during the period, there have been no incidents or accidents involving Air Squadron pilots or aircraft. Training of both pilots and observers has been ongoing and continuous throughout the 18 months of this Exemption. The majority of Air Squadron pilots hold commercial and instrument ratings. Pilots with both commercial and private licenses must be proficient and successfully complete a check ride based on flight safety and search techniques given annually by a Squadron check pilot. All Squadron check pilots are experienced certified flight instructors.

The Washoe County Sheriff's Air Squadron maintains a current and accurate record of each pilot operating under the terms of this Exemption. This record includes: name of the person, a facsimile of the person's pilot and medical certificates, make and model of each aircraft, itinerary and total time of each flight. These and other required records shall be retained by the Air Squadron for at least one (1) year and shall be presented to the Administrator upon request.

The Sheriff's Department shall ensure that all its supervisory personnel and all member pilots who operate under the authority of this Grant of Exemption are familiar with the provisions contained within the Exemption.

In addition to the above request for renewal of Exemption No. 5119, we request, in the interest of an increased level of public service, that the following amendments be incorporated into the renewed Exemption.

Amendment #1. We want to make reference to the last Paragraph on Page 2 of the Exemption document. We definitely agree that Search operations are separate from Rescue operations. Our only need for aircraft in rescue operations is to transport personnel to the scene of a rescue. We would never transport a victim, as that is a job for properly-trained and equipped medivac organizations.

Letter to Federal Aviation Administration
U.S. Department of Transportation
July 30, 1991
Page 2

We would like to be able to transport personnel to the scene of a rescue and would be willing to follow the same requirements as described under the request to do administrative flights, which is described in the next Paragraph.

Amendment #2. We wish to make reference to the second Paragraph of Page 3 of Attachment #1. We would request that the FAA reconsider this provision. We would like the Sheriff's Air Squadron to provide administrative transportation. This would be in the form of transport of Sheriff's Office personnel to meetings or other events within the State and within personnel to meetings or other events within the State and within adjacent states. In support of this requested amendment, the Washoe County Sheriff's Air Squadron has established increased qualifications of those pilots who will serve as pilot-in-command during such administrative flights. These include the following:

1. Commercial license.
2. Instrument rating.
3. A minimum of 500 hours as pilot-in-command (PIC)time.
4. An annual check ride with one of the Squadron check pilots.
5. Or a private pilot with b, c, d, e and 750 hours PIC, with 100 hours PIC in the last 12 months.
6. Under VFR conditions, a private pilot would not need an instrument rating.

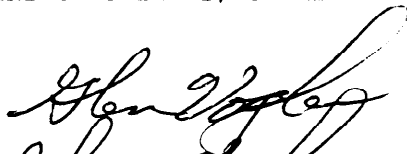
It should be recognized that most Squadron pilots have considerable flight experience.

The Washoe County Sheriff's Office requests this renewal of Exemption No. 5119 along with the proposed amendments in order that we can continue to use volunteer pilots from the Washoe County Sheriff's Air Squadron and to provide public service based on legal requirements. We refer to Nevada Revised Statute 248.092, wherein it is specified that the Sheriff of Nevada Counties have the responsibility to conduct search and rescue operations.

We officially request that these changes be incorporated into Exemption No. 5119, as referred to above.

Sincerely,

VINCENT G. SWINNEY, SHERIFF

By: 
GLEN VOGLER, Chief
Operations Bureau

GV:lcs

Att.

Attachment #1

Exemption No. 5119

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, D. C. 20591

* * * * *

In the matter of the petition of

WASHOE COUNTY SHERIFF'S OFFICE

for an exemption from § 61.118
of the Federal Aviation Regulations

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* Regulatory Docket No. 25986

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PARTIAL GRANT OF EXEMPTION

By letter dated March 6, 1989, and telephone conversation of April 6, 1989, Mr. Glen Vogler, Chief, Operations Bureau, Washoe County Sheriff's Office, Reno, Nevada 89512-1000, petitioned for an exemption from § 61.118 of the Federal Aviation Regulations (FAR). A grant of exemption would permit members of the Washoe County Sheriff's Air Squadron to be reimbursed for fuel and oil costs while performing official search and rescue missions.

Section of the FAR affected:

Section 61.118 prescribes, in pertinent part, that except as provided for in § 61.118(a) through (d), a private pilot may not act as pilot in command of an aircraft that is carrying passengers or property for compensation or hire; nor may he, for compensation or hire, act as pilot in command of an aircraft.

The petitioner's supportive information is as follows:

The petitioner states that each sheriff in Nevada is responsible for conducting searches and rescues under the provisions of N.R.S. 248.092 statute. Washoe County has

XP-89-207-E

accomplished this by use of volunteers from the Sheriff's Air Squadron. At the time of this petition, the squadron consisted of 11 member-owned aircraft and 21 volunteer private pilot members. The Air Squadron flies approximately 250 hours per year on official missions and on occasion, may transport sheriff's department personnel on administrative missions within and outside of the state of Nevada.

The petitioner states that the Sheriff's Air Squadron is made up of all volunteers who provide lifesaving search and rescue services to the citizens of Washoe County.

The petitioner states that each squadron member must take an annual check ride with the squadron's flight instructor.

The petitioner states that the Sheriff's Department will obtain and comply with Civil Air Patrol (CAP) Regulation No. 60-1, as amended, and Civil Air Patrol Manual No. 50-15 to maintain an equivalent level of safety as provided by § 61.118.

The Federal Aviation Administration (FAA) has determined that good cause exists for waiving the 120-day advance filing requirements and for not publishing a summary of the petition in the Federal Register because the exemption, if granted, would not set a precedent, and any delay in acting on this petition would be detrimental to the citizens and sheriff's department of Washoe County.

The FAA's analysis/summary is as follows:

The petitioner has provided information to show that the Sheriff's Department of Washoe County is charged with search and rescue within the county. Washoe County is a large county consisting of a rural and mountainous environment, which requires aerial observers for search and rescue missions.

The Washoe County Sheriff's Air Squadron is a volunteer organization of pilots who donate their time for providing search and rescue missions. The FAA recognizes and commends these volunteers for the lifesaving services that they provide the citizens of Washoe County. The FAA believes that search and location missions provided by the Air Squadron are of great importance and lifesaving benefit to the citizens and Sheriff's Department of Washoe County.

However, the FAA believes that search operations are separate and distinct activities from rescue operations. Rescue operations may involve the transportation of emergency response personnel and victims. Also, some rescue

operations may require specialized medical and life support equipment. Other than specialized military and emergency medical services aircraft, most aircraft are not designed or equipped for rescue operations. For this kind of operation and in the interest of public safety, the FAA has established in Part 135 of the Federal Aviation Regulations, a requirement for a person to hold a commercial operating certificate which requires higher standards of pilot training and certification and higher standards of aircraft maintenance. Therefore, the FAA has determined not to permit the Washoe County Sheriff's Air Squadron to perform rescue operations under this exemption.

Furthermore, the FAA has determined that the current FAR's which preclude the Air Squadron's pilots from conducting administrative flights, such as the carrying sheriff and prisoner personnel, are justified. In the interest of public safety, the FAA believes that more rigorous certification standards, as required by Part 135, are needed.

For the purposes of this grant of exemption, a search and location operation is defined as a flight or series of flights authorized by the Washoe County Sheriff's Department for searching for a lost or injured person(s) and then communicating the location of these lost or injured person(s) to the Sheriff's Department. Furthermore, the FAA has determined that all administrative flights or flights not directly associated with search and location operations will not be permitted under the authority of this exemption.

In consideration of the foregoing, I find that a partial grant of exemption is in the public interest and will not adversely affect safety. Therefore, pursuant to the authority contained in Sections 303(a) and 601(c) of the Federal Aviation Act of 1958, delegated to me by the Administrator (14 CFR 11.53), volunteers of the Washoe County Sheriff's Air Squadron who hold private pilot certificates are granted an exemption from § 61.118 of the Federal Aviation Regulations to the extent necessary to permit them to be reimbursed for fuel and oil expended while performing search and location missions as volunteer pilots of the Sheriff's Air Squadron. The exemption is subject to the following conditions and limitations:

1. This exemption applies only to search and location missions which are specifically authorized by the Washoe County Sheriff's Department.
2. Reimbursement for fuel and oil shall be limited to the actual amount expended and must be properly documented by a purchase receipt with an itemized listing of the amount and cost of all fuel and oil expenses.

3. The Washoe County Sheriff's Air Squadron shall maintain a current and accurate record (the pilot's logbook is not acceptable for this record) of each pilot operating under the terms of this exemption. The record shall include: name of the person; a facsimile of the person's pilot and medical certificate; make and model of each aircraft; itinerary and total time of each flight; and a purchase receipt with an itemized listing of the amount and cost of all fuel and oil expenses incurred while performing flights under the terms and conditions of this exemption.
4. The records required under condition No. 3 shall be retained by the Air Squadron for at least 1 year and shall be presented to the Administrator upon request.
5. Operations conducted under this exemption shall be restricted to searching for victims or potential victims, as determined by the Sheriff's Department, and reporting the location of these victims.
6. Flight crews shall be restricted to the pilot and the minimum essential number of person(s) for performing observation, map reading, and communication duties.
7. All administrative flights or flights not directly associated with search and location operations are not permitted under the authority of this exemption.
8. The Sheriff's Department shall ensure that all its supervisory personnel and all member pilots who operate under the authority of this grant of exemption are familiar with the provisions contained herein.

This exemption expires on December 31, 1991, unless sooner superceded or rescinded.



Daniel C. Beaudette
Director, Flight Standards Service

Issued in Washington, DC, on December 5, 1989